

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 0:24-CV-60443-DAMIAN/VALLE

PEDRO BENAVIDES,

Plaintiff,

vs.

SPRIGHTFUL SOLAR
INSTALLATIONS, LLC AND
PABLO CORREDOR,

Defendants.

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PLAINTIFF'S STATEMENT OF CLAIM

Plaintiff, Pedro Benavides ("Plaintiff"), pursuant to the Court's Order entered on April 11, 2024 [ECF No. 6], files this Statement of Claim based on the information known to Plaintiff and estimates as follows:

Preliminary Statement

This Statement of Claim is not to be construed as a demand, nor as an exact quantification of Plaintiff's damages, but merely as a case management tool required by the Court. *See Calderon v. Baker Concrete Const., Inc.*, 771 F.3d 807, 811 (11th Cir. 2014) ("That document is an extra-Rules practice used by the district court for its convenience and to aid in case management. It does not have the status of a pleading and it is not an amendment under Rule 15 of the Federal Rules of Civil Procedure.")

Information Requested by the Court

1. Plaintiff does not have all of the time and pay records from his employment at this time, and so he must estimate the hours that he worked, the pay that he received for those hours, and the corresponding wages due.

2. Plaintiff prepared this Statement of Claim with the assistance of counsel.

3. Plaintiff estimates that he is owed **\$4,694.40** in unpaid overtime wages.

4. Plaintiff calculated the amount he estimated he is owed as follows:

Dates Worked	Weeks Owed	Regular Rate	Half Rate	Hours Worked	Wages Owed
Feb. 8, 2022 - Feb. 8, 2023 (52 weeks)	26 weeks	\$30.77/hour	\$15.39/hour	50 hours/week (every other week)	\$4,001.40
Feb. 9, 2023 - June 13, 2023 (18 weeks)	9 weeks	\$15.39/hour	\$7.70/hour		\$693.00

Total: \$4,694.40

5. Plaintiff is claiming that he is owed wages for work performed between February 8, 2022 and June 13, 2023.

6. Plaintiff calculates his estimation of unpaid overtime wages as follows: $[26 \text{ weeks} \times (\$15.39/\text{hour} \times 10 \text{ hours/week})] + [9 \text{ weeks} \times (\$7.70/\text{hour} \times 10 \text{ hours/week})] = \$4,694.40$.

7. Plaintiff also seeks liquidated damages in an amount equal to the above unpaid/underpaid overtime wages, plus reasonable attorneys' fees and costs pursuant to the FLSA.

8. Plaintiff's Statement of Claim is based upon the information currently known and/or available.

9. Plaintiff reserves the right to amend this Statement of Claim based upon additional information provided by Defendants, through discovery, and/or as additional/different information becomes known.

10. This Statement of Claim does not include any computation of damages other than those damages in connection with his claim under the Fair Labor Standards Act sought in the operative/pending Complaint, and is subject to revision through the course of discovery and/or the amendment of the Complaint.

The foregoing amounts are subject to increase commensurate with the expenditure of additional time, effort, and expense in this matter.

Respectfully submitted this 22nd day of April 2024.

s/ Patrick Brooks LaRou
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